

REMARKS

With the foregoing amendment claims 1-20 are pending in the application. Claims 1, 9, and 17 are independent. No new matter has been added by the amendments.

I. Claim Rejection(s) Under 35 U.S.C. 102.

Claims 1-11, 15-17, and 19 stand rejected under 35 U.S.C. 102 as being anticipated by U. S. Pat. No. 5,995,936 to Brais et al. ("Brais"). Applicants respectfully traverse.

A. Claims 1-8

With respect to claim 1, claim 1 is not anticipated by Brais because Brais does not disclose all of the features of claim 1. For example, at the least, Brais does not disclose "digital video data comprising one or more video segments and one or more embedded edit tags," as is recited in claim 1 (emphasis added).

Brais discloses a system and method for creating reports and databases (Brais has nothing whatsoever to do with video editing). In the system disclosed by Brais, a user creates a report by dictating text into a microphone and taking pictures or videos with a camera. The user can format the report by uttering voice commands. Nowhere does Brais disclose "digital video data comprising one or more video segments and more or more embedded edit tags," as is required by claim 1. In other words, claim 1 requires that at least one edit tag is embedded in a portion of digital video and Brais simply does not disclose this feature.

The feature of embedding edit tags in video data is illustrated in figures 6-9 of the present application. For example, figure 6 illustrates captured video data 600 comprising multiple video segments A through D. Figure 6 also illustrates two edit tags 401, 404 embedded in the video data 600. More specifically, edit tag 401 is disposed between segments A and B and edit tag 404 is disposed between segments C and D. In the example shown, both edit tags 401, 404 are the "delete" edit tag (however, other edit tags are contemplated by the invention).

The feature of embedding edit tags within captured video data 600 is a critical aspect of the claimed invention. By enabling a user to easily embed edit tags into video data 600,

the present invention provides the user with an easy to use video editing system. Brais does not disclose a video editing system, let alone a video editing system wherein a user can embed edit tags into video data. Accordingly, Brais does not disclose all of the features of claim 1. Applicant, therefore, respectfully requests that the rejection of claim 1 and the rejection of claims 2-8, which claims depend from claim 1, be withdrawn.

B. Claims 9-16

With respect to claim 9, claim 9 is not anticipated by Brais because Brais does not disclose all of the features of claim 9. For example, as discussed above with respect to claim 1, Brais does not disclose a “video edit method ... comprising ... embedding said one or more edit tags into digital video data,” as is recited in claim 9 (emphasis added). Accordingly, like claim 1, claim 9 is patentable over Brais. Applicant, therefore, respectfully requests that the rejection of claim 9 and the rejection of claims 11-16, which claims depend from claim 9, be withdrawn.

C. Claims 17-19

With respect to claim 17, claim 17 is not anticipated by Brais because Brais does not disclose all of the features of claim 17. For example, as discussed above with respect to claim 1, Brais does not disclose a “video edit method ... comprising ... embedding said one or more edit tags into digital video data,” as is recited in claim 17 (emphasis added). Accordingly, like claims 1 and 9, claim 17 is patentable over Brais. Applicant, therefore, respectfully requests that the rejection of claim 17 and the rejection of claims 18-19, which claims depend from claim 17, be withdrawn.

II. Claim Rejection(s) Under 35 U.S.C. 103

Claims 12-14 and 18 stand rejected under 35 U.S.C. 103 as being unpatentable over Brais in view of U.S. Pat. No. 6,671,567 to Dwyer et al (“Dwyer”). Applicants respectfully traverse.

Claims 12-14 depend from claim 9. The Office Action asserts that Brais discloses all of the features of claim 9. As pointed out above, the Office Action is incorrect. Accordingly, claims 12-14 are patentable over the Brais and Dwyer for at least the same reason given above with respect to claim 9.

Claim 18 depends from claim 17. The Office Action asserts that Brais discloses all of the features of claim 17. As pointed out above, the Office Action is incorrect. Accordingly, claim 18 is patentable over the Brais and Dwyer for at least the same reason given above with respect to claim 17.


III. New Claims

Claim 20 has been added. Claim 20 depends from claim 1 and is patentable for at least the same reason give above with respect to claim 1.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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